

MINUTES OF MAINE STATE BOARD OF NURSING

September 24-25, 2014

A regular meeting of the Board of Nursing was held at the Board office, 161 Capitol Street, Augusta, on September 24-25, 2014. The meeting was called to order Wednesday, September 24, 2014 at 8:30 AM by Margaret Hourigan, RN, EdD - Chair Pro Tem.

PRESENT:

Margaret Hourigan, RN, EdD - Chair Pro Tem
Susan C. Baltrus, MSN – Secretary
Carmen Christensen, RN
Joanne Fortin, RN
Peggy Soneson, RN
Robin Brooks, Public Member
Myra A. Broadway, JD, MS, RN, Executive Director
Ron Guay, Assistant Attorney General

ABSENT:

Valerie J. Fuller, DNP
Elaine Duguay, LPN

CALL TO ORDER

MINUTES OF JUNE 4-5, 2014 MEETING

Vote: It was moved by Margaret Hourigan, seconded by Robin Brooks and voted to approve the minutes of the June 4-5, 2014 meeting.

COMPLAINT/PROVIDER REPORTS (*Executive Session*)

INFORMAL CONFERENCES

IC 1 – (2014-49) - POSTPONED

IC 2 – (2013-72) *Executive Session*

IC 3 – (2014-59) *Executive Session*

IC 4 – (2010-441) *Executive Session*

IC 5 – (2014-21) *Executive Session*

IC 6 – (2014-9) *Executive Session*

UNFINISHED BUSINESS

1. **Angela Briggs** joined the meeting, with her attorney Walt McKee, to discuss further her 7/19/14 request to appeal the Board's preliminary denial of her Application for Examination and License as a Registered Professional Nurse.

Following discussion,

VOTE: *It was moved by Susan Baltrus, seconded by Robin Brooks, and voted to approve Ms. Briggs' Application for Examination and License as a Registered Professional Nurse.*

2. **Deborah Mason** joined the meeting, with her attorney Christopher Taintor, to discuss further her 7/29/14 request to appeal the Board's preliminary denial of her 2014 Application for Renewal of Licensure as a Registered Professional Nurse.

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Joanne Fortin, and voted to approve Ms. Mason's Application for Renewal of Licensure as a Registered Professional Nurse.*

3. **Danielle Doucette** joined the meeting to discuss further her 7/11/14 request to appeal the Board's preliminary denial of her 2014 Application for Renewal of Licensure as a Registered Professional Nurse.

Following discussion,

VOTE: (2013-23) It was moved by Susan Baltrus, seconded by Peggy Soneson, and voted to offer Ms. Doucette a consent agreement and, upon execution of the consent agreement, to grant approval of Ms. Doucette's Application for Renewal of Licensure as a Registered Professional Nurse.

4. **Heather Groder** joined the meeting, with her attorney Calvin Galen, to discuss further her 8/12/14 request to appeal the Board's preliminary denial of her Application for Examination and License as a Registered Professional Nurse.

Following discussion:

VOTE: It was moved by Peggy Soneson, seconded by Susan Baltrus, and voted to grant approval of Ms. Groder's Application for Examination and License as a Registered Professional Nurse.

5. **Julie Arbogast** joined the meeting to discuss further her 7/22/14 request to appeal the Board's preliminary denial of her Application for Examination and License as a Registered Professional Nurse.

Following discussion:

VOTE: It was moved by Margaret Hourigan, seconded by Susan Baltrus, and voted to grant approval of Ms. Arbogast's Application for Examination and License as a Registered Professional Nurse.

6. **Midel Scott** joined the meeting to discuss further her 7/25/14 request to appeal the Board's preliminary denial of her Application for Examination and License as a Registered Professional Nurse.

Following discussion:

VOTE: It was moved by Susan Baltrus, seconded by Joanne Fortin, and voted to grant approval of Mr. Scott's Application for Examination and License as a Registered Professional Nurse.

7. Executive Session

8. Executive Session

9. Executive Session

10. Executive Session

11. **Kimberly Trant (CONTINUED)** – RE 2/28/14 Application for Renewal of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Margaret Hourigan, and voted to approve the renewal of Ms. Trant's license as a Registered Professional Nurse.*

12. Executive Session

NEW BUSINESS

1. **InterCoast Career Institute** – RE Proposal for Approval - Nursing Program Redesign and Unit Reorganization

Following discussion,

VOTE: *It was moved by Robin Brooks, seconded by Susan Baltrus, and voted to grant official approval of the program redesign as proposed.*

2. **InterCoast Career Institute** – RE proposed curriculum changes

Following discussion,

VOTE: *It was moved by Robin Brooks, seconded by Susan Baltrus, and voted to grant official approval of the request for proposed curriculum changes.*

September 25, 2014 – It was moved by Susan Baltrus, seconded by Carmen Christensen, and voted to go into executive session at 3:25 PM, at the request of the Board's legal counsel to update the Board regarding InterCoast Career Institute prioritization.

At 3:45 PM the Board returned to open session.

3. **Anne Head, Commissioner** – Department of Professional and Financial Regulation (PFR) met with the Board from 11-12 on September 24, 2014.

Among the topics discussed were:

- *PFR has forged good relations with Executive Directors of affiliated boards but does not have authority to make decisions in licensing;*
- *PFR submits a budget that includes affiliated boards;*
- *Commissioner Head expressed her thanks to Board members, understands the challenges of the decisions made, and appreciates the Board's work to protect the public interest, nothing else;*
- *Freedom of Access Act law – what is public information and what is not;*
- *PFR is beginning an initiative to submit applications online;*
- *Military veterans issues are important to administration;*
- *There is a hold on Board appointments for now; and*
- *Answered questions from the Board regarding how the Board is doing, the potential for use of technology in holding meetings, what should be done to improve the Board's process, Board Investigator position becoming a full time position.*

4. **Brenda Fisher** joined the meeting to discuss further her 8/31/14 request for Probation Termination.

Following discussion,

VOTE: *It was moved by Susan Baltrus, seconded by Joanne Fortin, and voted to amend the terms of the consent agreement to terminate Ms. Fisher's probation.*

5. **Randie Bowden** joined the meeting to discuss further her 8/12/14 request for Reactivation of License as a Registered Professional Nurse.

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Susan Baltrus, and voted to approve the reactivation of Ms. Bowden's license as a Registered Professional Nurse.*

6. **Lisa King** joined the meeting to discuss further her 7/22/14 request for Reinstatement of her license as a Registered Professional Nurse.

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Susan Baltrus, and voted to offer Ms. King a consent agreement.*

7. **Deborah Leland** joined the meeting to discuss further her 8/19/14 request for Amendment of the terms of the 2010 Consent Agreement.

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Joanne Fortin, and voted to offer an amendment of the terms of the 2010 consent agreement.*

8. **Keith Kilgore** – 5/22/14 Application for Examination and License as a Registered Professional Nurse

Following review of the information,

VOTE: *It was moved by Peggy Soneson, seconded by Joanne Fortin, and voted to approve Mr. Kilgore's Application for Examination and License as a Registered Professional Nurse.*

9. **Maine College of Health Professions (formerly CMMC)** – RE 8/8/14 Request for Exception to Masters Degree in Nursing for Faculty - Jill Hurd, RN

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Joanne Fortin, and voted to grant approval of the Exception to Masters Degree in Nursing for Faculty - Jill Hurd, RN in accordance with Chapter 7, section (2)(C)(5)(b)(iv).*

10. **Eastern Maine Community College** – RE 9/5/14 Request for Exception to Masters Degree in Nursing for Faculty – Janis Veillette, RN

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Joanne Fortin, and voted to grant approval of the Exception to Masters Degree for Faculty - Janis Veillette, RN in accordance with Chapter 7, section (2)(C)(5)(b)(iv).*

11. **Central Maine Community College** – RE 9/11/14 Request for Exception to Masters Degree in Nursing for Faculty – Kristin Poliquin, RN

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Joanne Fortin, and voted to grant approval of the Exception to Masters Degree for Faculty - Kristin Poliquin, RN in accordance with Chapter 7, section (2)(C)(5)(b)(iv).*

12. **Medical Professional Health Program** – RE Soberlink – review of materials and discussion of whether or not to allow the use of Soberlink with Board mandated participants.

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Carmen Christensen, and voted it is agreeable to the use of Soberlink for mandated participation in the Medical Professionals Health Program.*

13. Susan Robicheau, LPN – 5/7/14 Application for Renewal as a Licensed Practical Nurse

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Susan Baltrus, and voted to preliminarily deny Ms. Robicheau's renewal as a Licensed Practical Nurse.*

14. Susanne Spencer, RN – 6/20/14 Application for Renewal of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Susan Baltrus, and voted to preliminarily deny Ms. Spencer's renewal of license as a Registered Professional Nurse.*

15. John Greenwood, RN – 6/19/14 Application for Renewal of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Carmen Christensen, seconded by Susan Baltrus, and voted to approve the renewal of Mr. Greenwood's license as a Registered Professional Nurse.*

16. Susan Archambeault, RN – 6/26/14 Application for Renewal of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Carmen Christensen, and voted to order a substance abuse evaluation in accordance with 32 M.R.S. §2105(A)(4). The Board deferred making a decision until receipt and review of the ordered evaluation.*

17. Krystal Carrier, RN – 8/11/14 Application for Renewal of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Joanne Fortin, and voted to order a substance abuse evaluation in accordance with 32 M.R.S. §2105(A)(4). The Board deferred making a decision until receipt and review of the ordered evaluation.*

18. Amy Simmons, RN – 8/18/14 Application for Reinstatement of License as a Registered Professional Nurse

The Board deferred making a decision pending receipt and review of further information.

19. Michael O'Neal – 5/23/14 Application for License as a Registered Professional Nurse by Endorsement

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Susan Baltrus, and voted to approve Mr. O'Neal's Application for License as a Registered Professional Nurse by Endorsement.*

20. Carey Garrett – 8/27/14 Application for License as a Registered Professional Nurse by Endorsement

Following discussion,

VOTE: *It was moved by Carmen Christensen, seconded by Peggy Soneson, and voted to approve Ms. Garrett's Application for License as a Registered Professional Nurse by Endorsement.*

21. 1/20/14 Request (received 8/14/14) from Janet Hawkins for the Board's reconsideration of its 3/6/14 decision in Case ID #: 2014-24

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Susan Baltrus, and voted to deny the request as the Board has previously reviewed and dismissed the case and cannot procedurally revisit the same.*

22. 7/24/14 Request from Margery Hulseley for the Board's reconsideration of its 6/4/14 decision in Case ID #: 2014-96

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Susan Baltrus, and voted to deny the request as the Board has previously reviewed and dismissed the case and cannot procedurally revisit the same.*

23. Doris Solmitz – RE Request for Board's review and approval of graduate level education in consideration of reinstatement of Licensure as a Certified Nurse Practitioner

Following discussion,

VOTE: *It was moved by Margaret Hourigan, seconded by Robin Brooks, and voted to invite Ms. Solmitz to meet with the Board at its meeting in December to review specific items on her consent agreement.*

24. Review of Chapter 3 General Requirements Relating to Licensure from the Maine State Dental Board regarding imposition of fine for licensees who fail to update their address.

The Board reviewed the information and determined not to emulate at this time.

25. Luke Fontaine – RE 8/28/14 Application for Examination and License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Susan Baltrus, and voted to preliminarily deny Mr. Fontaine's Application for Examination and License as a Registered Professional Nurse.*

26. Victoria Nevens – RE 7/14/14 Request for a waiver to test out of the CNA Exam

Following discussion,

VOTE: *It was moved by Peggy Soneson, seconded by Joanne Fortin, and voted to deny Ms. Nevens' request for a waiver because she does not meet the regulation requirements.*

27. Jack McKenzie – RE 9/22/14 Application for Reinstatement of License as a Registered Professional Nurse

Following discussion,

VOTE: *It was moved by Susan Baltrus, seconded by Peggy Soneson, and voted to defer a decision until an Informal Conference is scheduled and the matter addressed for Case ID#: 2014-51.*

REPORTS

1. Disciplinary Matters: Myra A. Broadway

(2013-17) **Ann Clifton, RN** - RE 8/26/14 Notice of Non-Compliance (License Suspended 8/27/14) – Consent Agreement for Voluntary Surrender

Following discussion,

VOTE: *It was moved by Joanne Fortin, seconded by Margaret Hourigan, and voted to accept the consent agreement as signed.*

2. Practice Matters: Virginia E. deLorimier – *No Report*

3. Executive Director: Myra A. Broadway – *Summary given of agenda item OB 4*

OTHER BUSINESS

OB 1 - Consent Agenda: *Please see attached.*

Following discussion,

VOTE: *It was moved by Joanne Fortin, seconded by Carmen Christensen, and voted to accept the Consent Agenda.*

OB2-6/14/14 UNE Proposed Curricular Changes

Following discussion,

VOTE: *It was moved by Joanne Fortin, seconded by Susan Baltrus, and voted to approve the proposed curricula changes.*

OB3 – 7/30/14 Letter from National League for Nursing RE Commission for Nursing Education Accreditation (CNEA)

The Board reviewed the information submitted.

OB4 - Delegate Assembly – *Outcomes of NCSBN's annual meeting were shared:*

- a) Resolution by NCSBN to continue the dialogue among members to improve the NLC.*
- b) Distance Education*
- c) EO Succession Planning Kit*

OB5 – Legislative Bills submitted: – *The Board reviewed the following items:*

- a) ..Advanced Practice Registered Nurse Requirements*
- b) ...to Require Fingerprinting for Nurse Licensure Applicants*

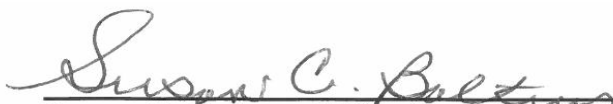
ADJOURNMENT @ 3:10 PM

DATES OF NEXT MEETINGS:

Subcommittee Meetings: October 24, 2014
 November 14, 2014

Board Meetings: December 10-11, 2014
 March 11-12, 2015
 June 3-4, 2015

Adjudicatory Hearings: October 31, 2014
 December 16, 2014



Susan C. Baltrus, MSN - Secretary
(for the Maine State Board of Nursing)

12/18/14
Date

Consent Agenda:

1. 6/21/14 Letter from Alzheimer's Association
2. Consent Agreements Executed without Board Action:

Dawn Akerley – 3/27/14 Voluntary Surrender
Kerry Bridges – 7/28/14 Reprimand*
Lillian Doughty – 5/29/14 Voluntary Surrender
Jaric Fontaine – 7/15/14 Reprimand*
James Garrison – 1/24/14 Voluntary Surrender
Emily Herrell – 8/5/14 Voluntary Surrender
Darlene Lambert – 6/30/14 Voluntary Surrender
Cynthia Lewis – 8/4/14 Warning*
Cynthia Lidster – 7/15/14 Voluntary Surrender
Virginia McNamara – 8/12/14 Voluntary Surrender
Melissa Meister – 8/4/14 Voluntary Surrender
Lycia Morley – 5/29/14 Warning*
Andrea Rush – 7/15/14 Inactive Status
Annette Towle – 6/30/14 Voluntary Surrender

**Originally scheduled for hearing, resolved through subcommittee revised offer*

3. InterCoast Career Institute – Amendment to Consent Agreement
4. Board Meeting Minutes:

March 5-6, 2014 – Board Meeting
March 28, 2014 – Subcommittee Meeting
April 3, 2014 – Special Board Meeting
April 4, 2014 – Subcommittee Meeting
April 15, 2014 – Subcommittee Meeting
July 15, 2014 – Special Board Meeting
August 8, 2014 - Subcommittee (A) Meeting
August 8, 2014 – Subcommittee (B) Meeting
August 8, 2014 – Special Board Meeting